

## REMARKS

In response to the Final Office Action dated March 29, 2007, the Notice of Abandonment dated October 1, 2008, and the Request for Continued Examination filed herewith, claims 53-58 and 60-63 have been amended. Claims 53-63 are pending in the application.

On page 3 of the Final Office Action, claims 53-55 were rejected under 35 U.S.C. 101 as being directed to an abstract idea.

Applicants respectfully traverse the rejection, but in the interest of expediting prosecution have amended claims 53-55 as suggested.

On page 3 of the Office Action, claims 53-59, 61 and 63 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brooke et al. in view of "Employees." On page 7 of the Office Action, claims 60 and 62 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brooke et al. in view of "Employees", and in further view of Official Notice.

Applicant respectfully traverses the rejections, but in the interest of expediting prosecution has amended the claims.

Independent claim 53 sets forth a printer configured for rendering data in an XML document according to a formatting template. The formatting template includes an XML Descriptor (XMD) associated with each XML data element in a tree structure of the XML document, wherein each of the XML Descriptors (XMDs) are identified by an associated qualified tag, each of the qualified tags includes a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element associated therewith, the XMDs providing formatting to content associated with the XML data element; the printer further configured for printing the rendered

XML document according to the template using the XMDs. Independent claim s56, 60 and 62 include similar elements.

Brooke et al. discloses XSL as a formatting template. However, the Final Office Action admits that Brooke fails to disclose XML Descriptors (XMDs) identified by an associated qualified tag, wherein each of the qualified tags includes a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element associated therewith.

However, the “Employee” XML listing fails to overcome the deficiencies of Brooke. The “Employee” XML listing describes an XML document that uses a transformation structure to format the document. The transformation structure includes elements in a tree structure to define the formatting. For example, the transformation structure includes `<xsl:for-each select="/employees/employee">`, which is used to loop through to iterate through each of the Employees/Employee nodes when applying the formatting to the document.

The Final Office Action stated that the code line `<xsl:for-each select="/employees/employee">` shows the qualified tag of employees and the individual employee is what is being searched. However, the expression “xsl:for-each” finds all “employee” elements in the “employees” element context using the expression “employees/employee”. If the selected node contains all elements in the root, all of the “employees” elements will be selected. Thus, the 'for-each' expression is a loop that processes the same instructions for these elements, i.e., the code line `<xsl:for-each select="/employees/employee">` searches for all “employee” elements.

Thus, while the “Employees” XML listing defines formatting for the XML document, the “Employees” XML listing fails to suggest a formatting template comprising an XML Descriptor

(XMD) associated with each XML data element in a tree structure of the XML document, wherein each of the XML Descriptors (XMDs) are identified by an associated qualified tag, each of the qualified tags includes a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element associated therewith.

The “Employees” XML listing simply does not contain an XML data element with a qualified tag comprising a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element. Instead, the “Employees” XML listing merely shows individual elements in a conventional tree structure. Rather, a QT for an XMD associated with the element <EmployeeID> would be {employees employee employeeID}. However, the “Employees” XML listing clearly does not show an XML data element tag containing any concatenation of tags.

In contrast, the specification clearly describes the qualified tags, as claimed, as including a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element associated therewith. More specifically, in the example given at page 19, lines 2-13, the QT for the XMD that is used to format the content for the element <first> is {person name first).

Accordingly, neither Brooke et al. nor the “Employees” XML listing suggest providing a qualified tag having a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the XML document to reach the XML data element.

Therefore, Applicant respectfully submits that Brooke et al. and the “Employees” XML listing, alone or in combination, fail to disclose the limitations recited in independent claims 53, 56, 60 and 62.

The Official Notice fails to overcome the deficiencies of Brooke et al. and the “Employees” XML listing. The Official Notice is merely cited as disclosing searching, formatting and merging. First, Applicants respectfully traverse the Official Notice.

However, Applicants also respectfully submit that the Official Notice also fails to suggest a formatting template that includes an XML Descriptor (XMD) associated with each XML data element in a tree structure of the XML document, wherein each of the XML Descriptors (XMDs) are identified by an associated qualified tag, each of the qualified tags includes a concatenation of a plurality of XML start tags representing start tags hierarchically traversed in the tree structure of the XML document to reach the XML data element associated therewith.

Accordingly, Applicants respectfully submit that Brooke et al, the “Employees” XML listing and Official Notice, alone or in combination, fail to teach, disclose or suggest the invention as recited in the claims.

Dependent claims 54-55, 57-59, 61 and 63 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 53, 56, 60 and 62, respectively. Further dependent claims 54-55, 57-59, 61 and 63 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 54-55, 57-59, 61 and 63 are patentable over the cited references.

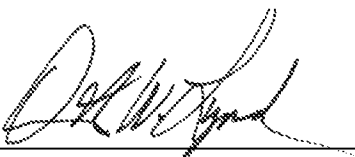
On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

Merchant & Gould  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(865) 380-5976



By:   
Name: David W. Lynch  
Reg. No.: 36,204